

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

ING BANK N.V.,

Plaintiff

V.

**M/V WHITE DIAMOND,
IMO No. 9330666,
her engines, tackle, equipment,
furniture, appurtenances,
etc., *in rem***

Defendant

CIVIL ACTION NO. 3:15-cv-24
ADMIRALTY

CONSENT TO RELEASE OF ARREST OF M/V WHITE DIAMOND

NOW COMES, plaintiff, ING Bank N.V., through undersigned counsel, and in accordance with this Court's February 4, 2015, Order (Doc. 4), states as follows:

1. On this date, The London Steam – Ship Owners’ Mutual Insurance Association Limited issued a Letter of Undertaking, dated February 6, 2015 (hereafter “Letter of Undertaking”), as substitute security for the defendant, M/V WHITE DIAMOND, *in rem*, in consideration, *inter alia*, for the release of that vessel from arrest, a true and accurate copy of the Letter of Undertaking is attached hereto as Exhibit A;
2. Upon receipt of the foregoing Letter of Undertaking, counsel for plaintiff has provided written notice to the U.S. Marshal to release the M/V WHITE

DIAMOND (IMO No. 9330666), and her engines, tackle, equipment, furniture, appurtenances, etc. (hereafter “WHITE DIAMOND”) from arrest and / or seizure;

3. The only party to this admiralty action at present is ING Bank N.V., who consents to the release of the WHITE DIAMOND from arrest and / or seizure; and,
4. This Court has not entered any Order to the contrary preventing or otherwise restricting the foregoing release from arrest and / or seizure of the WHITE DIAMOND.

Respectfully submitted:

/s/ James D. Bercaw

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